

IN RE: PETITION FOR VARIANCE
N/S Marriottsville Road, 1,267' E of
the c/l Powells Run Road
(10710 and 10714 Marriottsville Road)
2nd Election District
1st Councilmanic District

Kingsway Academy, Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-182-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Kingsway Academy, Inc., by Donald Stinnett, President, through their attorney, Deborah Dopkin, Esquire. The Petitioners seek relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit lot line setbacks of 20 feet and 40 feet in lieu of the required 50 feet each. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Donald Stinnett, President of Kingsway Academy, Inc., owners of the property, Richard E. Matz, Professional Engineer who prepared the site plan for this property, and Deborah Dopkin, Esquire, attorney for the Petitioners. Also appearing at the hearing was Diana Itter, who appeared on behalf of the Office of Planning. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 6.072 acres, more or less, zoned R.C.5 and is presently unimproved. The property is located along the north side of Marriottsville Road, between Powells Run Road and Hernwood Road in Granite. The Petitioners propose to develop the property with a one-story private school, as shown on

ORDER RECEIVED FOR FILING

Date

By

Petitioner's Exhibit 1, to be known as the Kingsway Academy. Testimony revealed that the Kingsway Academy is an existing private school that currently operates at a location in Carroll County. However, the Petitioners are desirous of relocating to the subject site. Mr. Stinnett testified that the Kingsway Academy is a private school for disabled children who are between 8 and 16 years of age. The maximum number of students proposed at the subject location will be 80. Mr. Stinnett, who is the President of the Academy and also oversees its operation, testified that he lives on an adjacent property, and thus will be readily available and will continue to oversee the school. However, due to the irregular shape of the property, which is heavily wooded to the rear, and the location of septic reserve areas, the requested variances are necessary in order to proceed as proposed.

As noted above, Ms. Diana Itter appeared at the hearing on behalf of the Office of Planning. Ms. Itter appeared to discuss the Zoning Plans Advisory Committee (ZAC) comments submitted by her agency, dated December 15, 1998, and the conditions for approval contained therein. Mr. Stinnett indicated that he was familiar with those comments and had an opportunity to discuss them with Ms. Itter. Mr. Stinnett had no objections to the incorporation of those conditions as restrictions to the granting of this relief, with the exception of one small change relative to additional landscaping. Specifically, Condition No. 1 of those comments was amended to allow the Petitioners the option of providing additional landscaping in lieu of adding additional building articulation to the rear building elevation, as it may be visible from Marriottsville Road. Thus, I shall approve the requested variance, subject to compliance with the conditions contained in the Office of Planning's comments.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208

ORDER RECEIVED FOR FILING
Date 1/2/99
By [Signature]

(1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of January, 1999 that the Petition for Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit lot line setbacks of 20 feet and 40 feet in lieu of the required 50 feet each, for a proposed one-story private school, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that pro-

ORDER RECEIVED FOR FILING

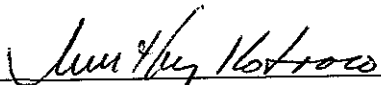
Date

By

ceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

- 2) Compliance with all of the conditions set forth in the ZAC comments submitted by the Office of Planning, (as modified) dated December 15, 1998, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 1/17/99

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

January 7, 1999

Deborah Dopkin, Esquire
409 Washington Avenue, Suite 920
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
N/S Marriottsville Road, 1,267' E of the c/l of Powells Run Road
(10710 and 10714 Marriottsville Road
2nd Election District - 1st Councilmanic District
Kingsway Academy, Inc. - Petitioners
Case No. 99-182-A

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter.
The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file
an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For
further information on filing an appeal, please contact the Zoning Administration and
Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Donald Stinnett, President, Kingsway Academy, Inc.
17012 Marriottsville Road, Randallstown, Md. 21133

Mr. Richard E. Matz, Colbert Matz Rosenfelt, Inc.
2835 Smith Avenue, Suite G, Baltimore, Md. 21209

People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10710 and 10714 Marriottsville Rd.

which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A.04.3B.2 of the BCZR for lot line setbacks of 20ft. and 40ft. in lieu of 50ft. required.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Deborah Dopkin, Esq.

(Type or Print Name)

Signature

409 Washington Ave. 410-494-8080

Address

Phone No.

Towson, MD

21204

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Donald Stinnett, President

(Type or Print Name)

Donald Stinnett, Pres.

Signature

(Type or Print Name)

Signature

Kingsway Academy, Inc.

10712 Marriottsville Rd. 410 -602-2900

Address

Phone No.

Randallstown, MD 21133

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Richard E. Matz, P.E.

Colbert Matz Rosenfelt, Inc.

Name

2835 Smith Ave Suite G

Baltimore, MD 21209 410-653-3838 D.

Address

Phone No.

410 - 484-8757 N

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates 11/20 - 11/29

12/23 - 1/3/99

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

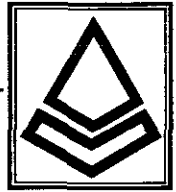
Revised 9/5/95

99-182-A

182

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

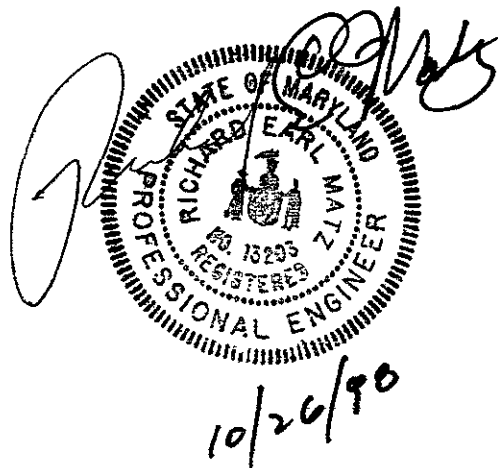


ZONING DESCRIPTION 10710 & 10714 Marriottsville Road

Beginning at a point on the north side of Marriottsville Road, which is 20 feet wide, at the distance of 1267 feet east of the centerline of Powells Run Road, which is of varying width. Thence the following courses and distances:

N 01°10'17" E 149.95 ft.;
N 13°50'17" E 45.60 ft.;
N 01°10'17" E 116.15 ft.;
N 73°47'35" W 175.83 ft.;
N 39°22'39" W 96.31 ft.;
N 03°35'06" W 305.41 ft.;
N 83°32'21" E 215.48 ft.;
N 83°32'21" E 202.99 ft.;
S 70°11'09" E 393.43 ft.;
S 23°29'42" W 115.08 ft.;
S 88°17'08" W 350.31 ft.;
S 04°43'25" W 531.47 ft.;
N 86°37'52" E 73.61 ft.; and
N 86°37'52" E 40.13 to the place of beginning.

As recorded in Deeds Liber 12946, Folio 55, Liber 12946, Folio 65 and Liber 12946, Folio 70, and containing 6.072 acres. Also known as 10710 and 10714 Marriottsville Road and Lots 2 and 3 of Minor Subdivision 97-116-M, and located in the 2nd Election District.



182

BALTIMORE COUNTY, MD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

183
Item No. 054750

DATE 10.27.98 ACCOUNT R-001-6150

AMOUNT \$ 250.00

RECEIVED FROM: Celbert Matz

FOR: Commercial Variance Filing for
12710 + 14 Marriattville Rd.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

POUNDS ACTUAL

10/27/1998 10/27/1998 09:46:59

RECEIPT # 054750

RECEIPT # 054750

RECEIPT # 054750

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CASHIER'S VALIDATION

99-182-A

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-182-A
10710 & 10714 Marriottsville Road
MS Marriottsville Road, 1267' E of Centaline, Powells Run Road
2nd Election District
1st Councilmanic District
Legal Owner(s): Kingsway Academy, Inc.

Variance: to permit lot line setbacks of 20 feet and 40 feet in lieu of the 30 feet required.
Hearing: Tuesday, December 15, 1998 at 10:00 a.m. in Room 407, County Courts Bldg., 401 Rosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.
(2) For information concerning the file and/or hearing Please Call (410) 887-3351.

11/30/98 Nov 26 12:27:5635

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 27, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov. 26, 1998.

THE JEFFERSONIAN.

A. Henrickson

LEGAL AD. - TOWSON

RE: Case No.: 99-182-A

Petitioner/Developer: KINGSWAY ACADEMY, INC.
% R. MATZ ETAL

Date of Hearing/Closing: 12/15/98
@ 10:00 AM

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #10710 — #10714
MARRIOTTSVILLE RD.

The sign(s) were posted on 11/30/98
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 12/1/98
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

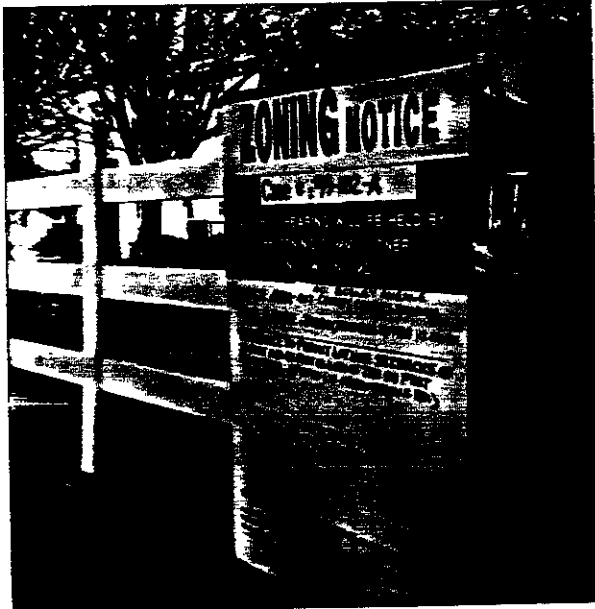
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

905-8571
Pager (410) ~~455-8884~~



10710 & 14 MARRIOTTSVILLE RD.

RE: PETITION FOR VARIANCE
10710 & 10714 Marriottsville Road, N/S
Marriottsville Rd, 1267' E of c/1 Powells Run Rd,
2nd Election District, 1st Councilmanic

Legal Owners: Kingsway Academy, Inc.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-182-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of November, 1998, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., 502 Washington Avenue, Suite 220, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 10, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-182-A
10710 & 10714 Marriottsville Road
N/S Marriottsville Road, 1267' E of centerline Powells Run Road
2nd Election District – 1st Councilmanic District
Legal Owner: Kingsway Academy, Inc.

Variance to permit lot line setbacks of 20 feet and 40 feet in lieu of the 50 feet required.

HEARING: Tuesday, December 15, 1998 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a circled "p9" written below it.

Arnold Jablon
Director

c.: Deborah Dopkin, Esquire
Kingsway Academy, Inc.
Colbert Matz Rosenfelt, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 30, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
November 25, 1998 Issue – Jeffersonian

Please forward billing to:

Kingsway Academy 410-602-2900
C/O Donald Stinnett
10712 Marriottsville Road
Randallstown, MD 21133

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-182-A
10710 & 10714 Marriottsville Road
N/S Marriottsville Road, 1267' E of centerline Powells Run Road
2nd Election District – 1st Councilmanic District
Legal Owner: Kingsway Academy, Inc.

Variance to permit lot line setbacks of 20 feet and 40 feet in lieu of the 50 feet required.

HEARING: Tuesday, December 15, 1998 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 182

Petitioner: KINGSWAY ACADEMY, INC.

Address or Location: 10710 AND 10714 MARRIOTTSVILLE ROAD
RANDALLSTOWN, MD 21133

PLEASE FORWARD ADVERTISING BILL TO:

Name: KINGSWAY ACADEMY c/o DONALD STINNETT.

Address: 10712 MARRIOTTSVILLE ROAD.
RANDALLSTOWN, MD ~~21133~~ 21133

Telephone Number: 410-602-2900.

Revised 2/20/98 - SCJ

99-182-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 8/27.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-182-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: Variance to permit sideyard setbacks of
20 ft. and 40 ft. in lieu of the ^{minimum} required 50 ft.
respectively.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 11, 1998

Deborah Dopkin, Esq.
409 Washington Avenue
Towson, MD 21204

RE: Item No.: 182
Case No.: 99-182-A
Location: 10710 and 10714
Marriottsville Road

Dear Mrs. Dopkin:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on October 26, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by several vertical strokes.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

c: Richard E. Matz, P.E., 2835 Smith Ave., Ste. G, Balto. MD 21209
Come visit the County's Website at www.co.ba.md.us





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

NOVEMBER 23, 1995

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: 181 - NOTTINGHAM VILLAGE, INC.
182 - KINGSWAY ACADEMY, INC.

Location: DISTRIBUTION MEETING OF NOVEMBER 9, 1995

Item No.: 101 AND 102

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File




B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: November 17, 1998

FROM:  Robert W. Bowling, Supervisor
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for November 16, 1998
 Item Nos. 181, 182, 183, 186 and
 Item No. 158 - Revised Plans

 The Bureau of Developer's Plans Review has reviewed the subject
zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Date: November 19, 1998

TO: Arnold Jablon
FROM: R. Bruce Seeley *RSB/yy*
SUBJECT: Zoning Item #182

Kingsway Academy - Marriottsville Road

Zoning Advisory Committee Meeting of November 9, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
 -



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 11.10.98

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 182 JJS

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 15, 1998

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 10710 and 10714 Marriottsville Road

INFORMATION:

Item Number: 182
Petitioner: Kingsway Academy, Inc.
Property Size: 6.072 acres
Zoning: RC 5
Requested Action: Variance
Hearing Date: December 15, 1998

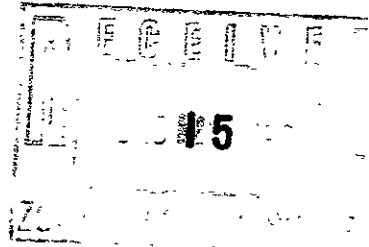
Kingsway Academy, a private non-profit state approved school for students with learning disabilities, proposes to construct a 1-story, 4725 square foot building on lots 2 and 3 of an approved minor subdivision 97116M. Due to the narrow nature of the front portion of the property, and in order to situate the school in a manner that is compatible with the adjacent historic dwelling, the petitioner is requesting a sideyard setback variance of 20 feet and 40 feet in lieu of the required 50 feet.

The site is situated along Marriottsville Road, designated as a scenic road in the Patapsco/Granite Area Community Plan, adopted by the Baltimore County Planning Board September 1998. The adjacent property, also owned by Donald Stinnett, contains a historic house listed on the Maryland Historic Trust inventory as BA 2292, the Doubleday House, ca.1851-1875. The proposed school plans were referred to the Baltimore County Landmarks Commission for their review; comments have been incorporated with the following recommendations.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends approval of the requested variances subject to the following:

- 1 Due to the scenic nature of Marriottsville Road, the side building elevation facing the road should be modified to include additional building articulation, i.e., additional windows and shutters, dentil molding and a dormer. The rear building elevation should



or additional landscaping

also be modified adding additional building articulation as it may be visible from Marriottsville Road. Elevation drawings should be submitted to the Office of Planning for approval prior to issuance of building permits.

2. Building materials and colors should be compatible with the Doubleday House; neutral colors such as beige or light brown.
3. A landscape plan should be submitted to the county's landscape, showing screening for the parking lot along Marriottsville Road and screening along the eastern property line for the proposed play area.
4. A sign detail should be submitted showing materials and colors of any freestanding sign.

Section Chief:

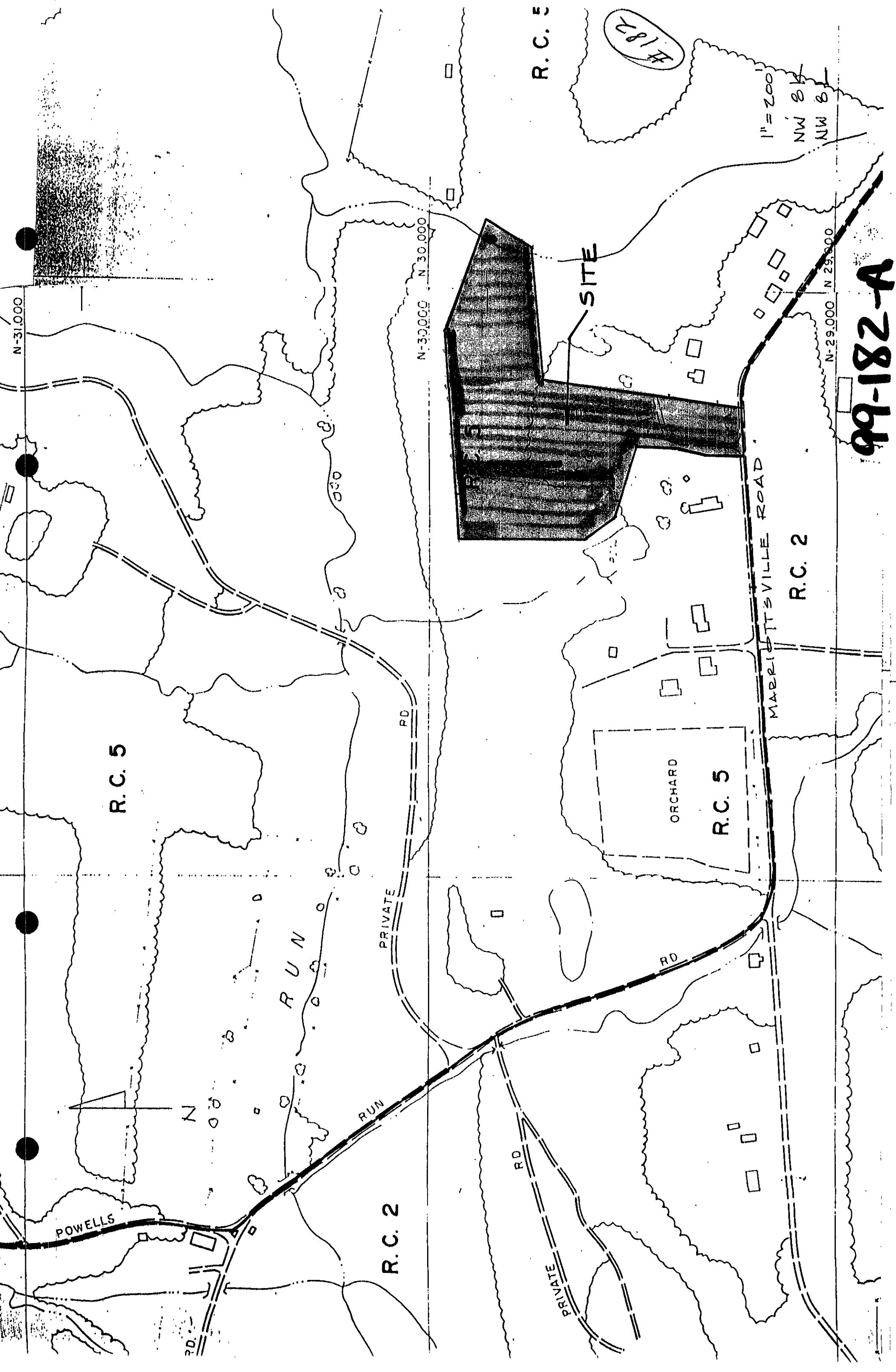
Jeffrey M. Long

AFK:DI:lsn

ORDER RECEIVED FOR FILING

Date

By



N-31.000

R.C. 5

POWELLS

N

RUN

R.C. 2

PRIVATE

RD

N-30.000 N 30.000

RD

PRIVATE

RD

ORCHARD

R.C. 5

SITE

MARRIOTTVILLE ROAD

R.C. 2

N-29.000 N 29.000

1"=200'

NW 8 1/4

NW 8 1/4

99-182-A

182

